

## REMARKS

Claims 29-58 are pending in the present application. Claims 1-28 have been canceled. Claims 29-58 have been added.

1. Claim 25 stands rejected under 35 CFR 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter to which Applicants regard as the invention.

Claim 25 has been canceled, and therefore, the rejection is now moot.

2. Claims 16-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable, whereby independent claim 16 has been found to be unpatentable over Anderson et al. (US 6,505,567) in view of Adris et al. (US 5,326,550).

Claims 16-20 have been canceled and replaced with claims 29-48 to clarify the claimed invention. The rejection of claims 16-20 is therefore now moot.

3. Applicants contend that newly added independent claim 29 is patentable over the cited art. Specifically, Applicants contend that the prior art does not teach or suggest a circulating fluidized bed boiler having “an oxygen transport membrane being disposed in the fluidized bed, wherein the oxygen transport membrane extracts oxygen from pressurized air provided thereto and provides the oxygen to the fluidized bed,” (emphasis added), as newly claimed.

Applicants therefore contend that claim 29 is patentable over the prior art for at least the reasons provided, and it is respectfully request that the claim 29 be allowed.

Claims 30-48 variously depend on independent claim 29, and therefore it is respectfully requested that these claims be allowed for at least the reasons provided hereinbefore.

4. Claims 21-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable, whereby independent claim 21 has been found to be unpatentable over Anderson et al. (US 6,505,567) in view of Adris et al. (US 5,326,550) and further in view of Garcia-Mallol (US 5,239,946) or Dietz (US 5,054,436). Further, independent claim 24 has been found to be unpatentable over Anderson et

al. (US 6,505,567) in view of Adris et al. (US 5,326,550) and further in view of Belin et al. (US 6,532,905)

Claims 21-28 have been canceled and replaced with claims 49-58 to clarify the claimed invention. The rejection of claims 21-28 is therefore now moot.

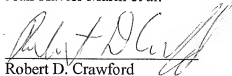
5. Applicants contend that newly added independent claim 49 is patentable over the cited art. Specifically, Applicants contend that the prior art does not teach or suggest a boiler having “an oxygen transport membrane being disposed in thermal communication with the firebox to provide sufficient heat for the oxygen transport membrane, wherein the oxygen transport membrane extracts oxygen from pressurized air provided thereto and provides the oxygen to the firebox.”, (emphasis added), as newly claimed.

Applicants therefore contend that claim 49 is patentable over the prior art for at least the reasons provided, and it is respectfully request that the claim 49 be allowed.

Claims 50-58 variously depend on independent claim 49, and therefore it is respectfully requested that these claims be allowed for at least the reasons provided hereinbefore.

6. Please charge the fee of **\$500.00** for the additional claims to Deposit Account No. 03-2578 Order No. VA30455. Any deficiency or overpayment should be charged or credited to this Deposit Account.

Respectfully submitted,  
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